

Elk Township Police Department

STANDARD OPERATING PROCEDURES

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Subject: Early Warning System					
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Revisions					
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I. PURPOSE:

To provide guidelines establishing an Early Warning System to identify employees who may require proactive intervention efforts.

II. POLICY:

It is the policy of the Elk Township Police Department to provide early intervention to employees who meet established criteria. The Elk Township Police Department has a responsibility to its employees and the community to identify and assist employees who show symptoms of job stress or personal problems. Such symptoms may be exhibited in on-the-job performance behaviors that results in complaints from citizens or may be indicated in the frequency of use-of-force incidents. The Elk Township Police Department has existing programs available to assist employees, including The Cop-2-Cop Assistance Program, and other counseling, which are available to employees on a voluntary and policy mandated basis. In order to enhance these services, the Department has implemented the Early Warning System Program (EWS). It is the policy of the Department to provide for the protection and confidentiality of the Early Warning System records maintained by the Lieutenant of Police or his designee. An Early Warning System (EWS) is an essential component in a well-managed law enforcement agency. The early identification of potential problems and a menu of remedial actions can increase accountability and offer employees a better opportunity

to meet the agency's values and mission statement. Any time the Early Warning System is activated pursuant to this SOP, the totality of the circumstances surrounding each incident and/or complaint shall be considered separately, drawing on general knowledge of human behavior, agency policies and procedures, and wisdom gained from years of law enforcement experience. The process should include recognition that there are circumstances when use of force is necessary and proper, and that there are occasions when false accusations may be made against employees by citizens. The intent of this system is to provide non-disciplinary intervention, whenever possible, to assist our employees in their professional development in order to provide the highest level of service and satisfaction to the public. Early Warning System will not be used for disciplinary purposes.

III. PROCEDURE:

A. Early Warning System

1. The EWS Program is a non-disciplinary system that is designed to improve the performance of the Department and its employees through counseling, training and types of professional development as described in this directive.

B. Early Intervention Program Tracking

1. Many different measures of employee performance can be regularly examined for patterns or practices that may indicate potential problems. These performance measures include, but are not limited to, the following documented indicators:
 - a. Use of Force reports
 - b. Officer involved firearm discharges (Other than animal destruction)
 - c. Citizen Complaints
 - d. Supervisory Referrals
 - e. On-Duty Accidents
 - f. Vehicle Pursuits
 - g. Sick Time Usage
 - h. Search / Frisk Reports
 - i. Proactive Enforcement Deficiencies

The Early Warning System Policy is primarily the responsibility of the Chief of Police, but any supervisor must initiate the early intervention process based upon their own observations.

C. Review of Internal Affairs (IA) Index File

The Lieutenant of Police, or his designee, shall cause a review of any individual employee's IA Index File anytime a new complaint is made; or anytime a concern is brought to their attention by the employee's supervisor. The Lieutenant, or his designee, may also review the employee's IA Index File as deemed necessary. It will be the discretion of the Lieutenant to initiate the Early Warning System based upon the

following indicators. Using this information, the Lieutenant, or his designee, may be able to identify employees who may need counseling, training or other remedial action.

At a minimum, this agency's Early Warning system policy shall provide that three separate instances of performance indicator (as listed in section C 1) within any twelve-month period will trigger the Early Warning System review process. If one triggers multiple performance indicators that incident shall not be double- or triple- counted, but instead shall count as only one performance indicator. The Chief of Police may in his discretion determine that a lower number of performance indicators within a twelve-month period will trigger the Early Warning System review process.

1. In general, the following indicators will prompt early intervention:
 - a. Attendance
 - b. Attitude/Officer Bearing
 - c. Insubordination
 - d. Citizen's Complaint
 - e. Internal Affairs Investigation (3 in a 12 month period and regardless of the outcome)
 - f. Motor Vehicle Crashes; (2 in 365 days)
 - g. Policy Violation
 - h. Pursuit
 - i. Use of Force
 - j. Written Reprimand
2. If the review reveals that an employee has violated department directives, the department may proceed with an internal investigation. If the review reveals that the employee has engaged in conduct that indicates a lack of understanding or inability to comply with accepted procedures, the department shall determine the appropriate course of remedial action.
3. All action taken will be documented and submitted to the Lieutenant of Police, or his designee, who will maintain Early Warning System records along with Internal Affairs records.

D. Command Responsibilities

1. The Lieutenant, or his designee, will notify each affected Supervisor of the employees who meet the criteria for EWS. The Lieutenant, or his designee, will then submit to each Supervisor all related reports for EWS on those employees.
2. The Lieutenant, or his designee, will refer to the IA Index File and make a timely and accurate summary of the actions of the particular employee and recommendations for intervention, if necessary. The Lieutenant's report will be submitted to the Chief of Police for final approval.

3. The Lieutenant, or his designee, will maintain the Early Warning System File on every employee selected for Early Warning System. This file will be the repository for documented incidents that meet the criteria for EWS considerations.
 - a. The file will include completed Intervention Reports along with any applicable reports pertinent to the incidents (e.g. Use of Force, Pursuits, etc.).
 - b. The EWS Files will be maintained by the Lieutenant, or his designee, and will be retained for four years.
 - c. The files will be secured in a separate and secure filing cabinet in the Lieutenant, or his designee's, office.
 - d. EWS files are considered confidential.
 - e. EWS file is on a need-to-know basis
4. The Command staff shall be guided by the following steps in the Early Warning System process:
 - a. Review of the Employee's IA index file and personnel file
 - b. Intervention and counseling, in the form of a meeting between the employee, their direct supervisor, and a member of the administrative staff. This meeting should focus on identifying any problems or potential problems.
 - c. The member of the Command Staff that attended the meeting with the employee shall meet with the Chief of Police as early as possible to discuss the outcome of the previous meeting. The Chief and the command staff shall discuss the outcome of the counseling and/or recommendations for additional intervention, (i.e. training, employee assistance program).
 - d. The member of the Command Staff shall complete a report detailing the response to the employee's behavior, if any, and the department's recommendations for intervention. This report should be completed as soon as possible after a plan has been created for the employee.
 - e. The member of the Command Staff shall complete a follow up report and forward it to the Chief of Police once the employee has completed the recommendations. This report shall serve as a status update. The report should include whether further

recommendations are required or if the employee shall be removed from the Early Warning System process.

E. Supervisor Responsibilities

1. An employee's first line supervisor is usually the first member of the department to encounter and document specific incidents that affect an employee. It is essential for the supervisor to speak with the employee, document these incidents and report findings to the Lieutenant. The success of this program relies heavily on the first line supervisor's participation and involvement.
2. Supervisors shall forward all documentation required by the Early Warning System Policy pursuant to written directives already established - Use of Force, Internal Affairs Investigations, Investigating and Reporting Damage to Police Vehicles, Personnel Policies and Procedures, Vehicle Pursuit Actions, Sick Leave and Tardiness.
3. Supervisors will have input on recommendations affecting their employees such as required remedial training and counseling services through the Employee Assistance Program and disciplinary action.
 - a) Referrals to the Employee Assistance Program shall be made in accordance with the Employee Assistance Program protocols. Personal problems may adversely affect an employee's personal and professional well-being and job performance. The most effective means of handling these problems may be through this program.

F. When under early warning system monitoring, the employee's direct supervisor shall meet with the employee to discuss the situation in depth to:

- a) Identify problems or potential problems;
- b) Determine short and long-term goals for improvement;
- c) Come to a consensus commitment on a plan for long-term improved performance; or
- d) Advise of the monitoring process and the repercussions of future sustained transgressions.

G. The affected employee and their supervisor shall meet periodically to discuss the employee's progress and goals.

H. All employee-supervisor meetings shall be thoroughly documented and submitted to the Lieutenant as soon as possible. These reports have the same confidential status as Internal Affairs documents and are subject to the same disclosure and retention regulations and guidelines.

I. Remedial Action

1. If any of the indicator's outlined in this SOP warrant the activation of the Early Warning System remedial action may include, but is not limited to:

- a. Training
- b. Retraining
- c. Counseling
- d. Intensive supervision
- e. Fitness for duty examination
- f. Employee Assistance Program

The Lieutenant and the employee's Supervisor, will implement the appropriate remedial training with the approval of the Chief of Police.

Internal disciplinary action, remedial action, and fitness for duty examinations are not mutually exclusive and should be jointly pursued if and when appropriate.

2. When remedial action has been undertaken, the Lieutenant shall ensure that such actions are documented in writing. No entry should be made in the employee's personnel file unless the action results in a sustained complaint. If the remedial action is a training program, attendance and successful completion of that program should be noted in the employee's training record.